

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
HELENA DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

K. JEFFREY KNAPP,

Defendant.

CR-19-03-H-BMM

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on December 22, 2023. (Doc. 187.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on December 22, 2023. (Doc. 186.) The United States accused K. Jeffrey Knapp (Knapp) of violating his

conditions of supervised release 1) by consuming alcohol; and 2) by entering a casino (Doc. 177.)

At the revocation hearing, Knapp admitted to having violated the conditions of his supervised release by consuming alcohol. The Court dismissed alleged violation 2 on the government's motion. (Doc. 186.) Judge Johnston found that the violation Knapp admitted is serious and warrants revocation of his supervised release and recommends a sentence until December 28, 2023, with 35 months of supervised release to follow. Judge Johnston recommenced Knapp be transported to Connections Corrections on December 28, 2023 and recommended that Knapp spend the first 60 days of his supervised release at Connections Corrections. (Doc. 187.) Knapp was advised of his right to appeal and allocute before the undersigned and did not waive those rights at the revocation hearing but filed a waiver of those rights on December 28, 2023. (Doc. 188.) The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 187) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Defendant K. Jeffrey Knapp be sentenced to the Bureau of Prison until December 28, 2023 with 35 months of supervised release to follow.

Knapp should be transported to Connections Corrections on December 28, 2023 and spend the first 60 days of his supervised release at Connections Corrections.

DATED this 27th day of December, 2023.



Brian Morris, Chief District Judge
United States District Court